

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	
)	Before the Examiner
Günter SCHMID et al.)	
)	Nannette Holloman
Serial No. 10/523,081)	
)	Group Art Unit 1612
Filed July 28, 2005)	
)	January 23, 2009
METAL CLUSTER NANO-)	
COMPOUNDS FOR TREATING)	
TUMOR DISEASE)	

RESPONSE TO
ELECTION OF SPECIES

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Sir:

In response to the Action dated December 23, 2008, Applicants elect the Formula II species, without traverse. The Formula II species is presented in claim 50 and claims 37-55 and 61-63 are readable on the elected species.

No additional fee is believed to be required for this Response. Please provide any extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

Respectfully submitted,

By James M. Durlacher
James M. Durlacher, Reg. No. 28,840
Woodard, Emhardt, Moriarty,
McNett & Henry LLP
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456